

RECEIVED
In The District Court Of The United States
For The Middle District Of Alabama

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Roy Lee McAtee
Plaintiff

vs.

Case No. 2:07-CV-692-WKW

Bob Riley et.al.,
Defendants

Objection To Orders Of The Court As Entered
On 3-31-08 and 4-7-08

Comes now Roy Lee McAtee, the plaintiff in the above styled Cause and submits this Objection To Orders Of The Court As Entered On 3-31-08 and 4-7-08 and in support thereof presents the following:

1. The Orders of The Court of 3-31-08 and 4-7-08 denying Plaintiff's Motions For Preliminary Injunction and Temporary Restraining Order are premised on Plaintiff's original complaint.
2. Subsequent to the initial filing Plaintiff submitted Additional Claims for Relief - Amendments of Facts - which state Claims For Relief.
3. These additional Claims For Relief - Grounds - have never been addressed by the Court - Neither in the "Recommendation of The Magistrate Judge of 9-25-07 or in the Orders of 3-31-08 and 4-7-08.

Conclusion

Plaintiff very Respectfully and very Humbly asks that this Honorable Court address the Amended Facts - Grounds for Relief which were:

1. A.C.N.A. of Alabama is basically a Civil Commitment Statute which is being inappropriately applied through the Criminal Justice System thereby allowing the State to circumvent the procedural protections such statutes require

2. A.C.N.A. is a Violation of the Bill of Rights Prohibition Against Cruel and Unusual Punishment Made Applicable Through the Due Process Clause.

3. A.C.N.A. violates Substantive Due Process Requirements in that it defines a person subject to its mandates as being Mentally Ill and Dangerous and provides the means to Involuntarily Confine such person but yet contains no provision to render services which would enable the person to live free of such confinement: i.e., treatment for the underlying Mental Illness, Job training, Etc.

4. A.C.N.A. violates Substantive Due Process Requirements in that in certain stages of its application it places such a powerful limitation on a person's ability to Act On Their Own Behalf that it thereby Creates a "Special Relationship" between such person and the State to the Extent that the State is rendered Obligatory under the Affirmative Duties Doctrine of Constitutional Law, to provide such services to the person that he cannot, because of the State Imposed limitations, provide for himself.

5. A.C.N.A. of Alabama violates the Equal Protection Clause of

the United States Constitution by denying to one group of Mentally Ill Persons the Protections of Due Process and Other Rights that the State Extends to Another Group.

6. A.C.N.A. violates the Bill of Attainder - Separation of Powers - in that it is a Legislative Exercise of the Judicial Function:

Wherefore, plaintiff prays that this Honorable Court will address these Claims for Relief where he might more fully determine his course in pursuit of this matter.

Respectfully Submitted this 10th day of April, 2008.

Roy Lee McAteer
Plaintiff

Certificate Of Service

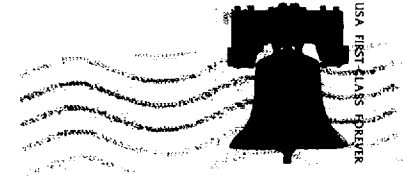
I, Roy Lee McAteer do hereby certify that I have served a true and correct copy upon the defendants by placing same, postage pre-paid and properly addressed, in the United States Mail.

Done this 10th day of April 2008.

Roy Lee McAteer
Affiant

Roy McArthur 147346
565 Bibb Ln.
Brent, AL 35834

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DATE 10/12/2007 BY 60322 ALB/STW
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